ORDINANCE NO. 2000 - 061

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO DESIGNATE SEGMENTS AND INTERSECTIONS OF **PGA BOULEVARD** AS A CONSTRAINED ROADWAY AT LOWER LEVEL OF SERVICE FACILITY); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and 16, 2000 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 12, 2000 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 4, 2000 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated September 29, 2000 which was the Department's

written review of the proposed Comprehensive Plan amendments; and

WHEREAS, on December 6, 2000 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments as modified satisfy the concerns addressed in the Department of Community Affairs' "Objections, Recommendations and Comments Report" and comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

A. **Transportation Element**, to designate segments and intersections of PGA Boulevard as a Constrained Roadway at Lower Level of Service Facility; and

B. Amending all elements as necessary for internal consistency.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the

word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 6 day of December, 2000.

ATTEST:
DOROTHY H. WILKEN, Clerk

By Joan Haverly
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By W. Jim
Chair

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY FLORIDA

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

COUNTY ATTORNEY

Filed with the Department of State on the 12th day of December, 2000.

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EXHIBIT 1

A. **Transportation Element**, PGA Boulevard Constrained Roadway at Lower Level of Service (CRALLS)

REVISIONS: To revise language of Policy 1.2-c and to move it under Policy 1.2-f modifying and expanding the PGA Boulevard CRALLS. The deleted and added text is shown in ~~strikeout~~ and underlined.

~~**Policy 1.2-c:** Notwithstanding anything in this Element to the contrary, until the interchange at PGA Boulevard and State Road 811 is built, the level of service standard for PGA Boulevard between Interstate 95 and State Road 811 will be as described below:~~

~~1) Test One - 55,200 trips on an ADT basis and 5,300 trips on a peak hour basis;~~

~~2) Alternate Test One - 2,990 trips eastbound and 3,980 westbound on a peak hour direction basis, and an intersection critical volume of 1,500;~~

~~3) Test Two - 62,320 trips on an ADT basis.~~

~~Upon completion of the PGA Boulevard/State Road 811 Interchange, level of service D established for an appropriate uninterrupted flow facility, for both daily and peak hour traffic shall apply to the PGA Boulevard link between I-95 and SR 811.~~

Policy 1.2-f: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. *(Unchanged text omitted for brevity)*

18) PGA Boulevard, from the Ronald Reagan Turnpike to Prosperity Farms Road, and the intersection of PGA Boulevard and Military Trail are hereby designated as Constrained Roadways at Lower Level of Service (CRALLS) facilities exclusively for the purpose of concurrency for properties which were the subject of a forbearance agreement with the City of Palm Beach Gardens dated April 15, 1999. All concurrency certificates issued by Palm Beach County utilizing this CRALLS shall be conditioned to require that: 1) prior to any development order for any project seeking to utilize this CRALLS, the funds for design, acquisition, and construction of all roads in the City Center Linkages Plan associated with the project, shall irrevocably be pledged to ensure construction is commenced as required by the County Engineer; and 2) the City of Palm Beach Gardens development order approvals ensure that all those elements of the City Center Linkages Plan, as approved by the City of Palm Beach Gardens, which are associated with a particular project, are constructed prior to issuance of any certificate of occupancy within that project.

a) PGA Boulevard from Ronald Reagan Turnpike to Central Boulevard

Daily Level of Service Standard	51,177 vehicles per day
Peak Hour Level of Service Standard	4,759 vehicles per hour
Test 2 Volume	53,000 vehicles per day

b) PGA Boulevard from Central Boulevard to Military Trail

Daily Level of Service Standard	50,738 vehicles per day
Peak Hour Level of Service Standard	4,719 vehicles per hour

c) PGA Boulevard from Military Trail to I-95

Daily Level of Service Standard	50,780 vehicles per day
Peak Hour Level of Service Standard	5,513 vehicles per hour

d) PGA Boulevard from I-95 to RCA Boulevard

Daily Level of Service Standard	67,674 vehicles per day
Peak Hour Level of Service Standard	7,084 vehicles per hour
Test 2 Volume	68,000 vehicles per day

e) PGA Boulevard from RCA Boulevard to Alternate A1A

Daily Level of Service Standard	68,055 vehicles per day
Peak Hour Level of Service Standard	7,120 vehicles per hour
Test 2 Volume	60,000 vehicles per day

f) PGA Boulevard from Alternate A1A to Fairchild Gardens Avenue

Daily Level of Service Standard	59,636 vehicles per day
Peak Hour Level of Service Standard	5,825 vehicles per hour

g) PGA Boulevard from Fairchild Gardens Avenue to Prosperity Farms Road

Daily Level of Service Standard	54,283 vehicles per day
Peak Hour Level of Service Standard	5,327 vehicles per hour

h) Intersection of PGA Boulevard and Military Trail Critical Volume of 1,800

The CRALLS designation on the above will be revisited if the City of Palm Beach Gardens: 1) fails to adopt the City Center Linkages Plan dated November 1999 into the City's Comprehensive Plan by April 30, 2001 or 2) fails to provide the County's Planning Director a report by March 1st of each year beginning in year 2002 showing that concurrent with the development approvals, the City: a) is requiring the construction of the City Center Linkages Plan dated November 1999; b) has completed an evaluation of the feasibility of a fixed-route bus transit service to circulate within the City Center; c) has completed the construction of the Hood Road extension from Alternate A1A to Prosperity Farms Road by the year 2003; and d) has commenced construction to widen Burns Road to four lanes from Military Trail to Prosperity Farms Road.

i) The level of service standards for PGA Boulevard between ~~SR 811~~ Prosperity Farms Road and United States Highway 1 will be:

1) Test One - 50,200 trips on an ADT basis and 4,830 trips on a peak hour basis;
2) Alternate Test One - 2,990 trips on a peak hour peak direction basis, and an intersection critical volume of 1,500;
3) Test Two - 56,700 trips on an ADT basis.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on December 6, 2000.
DATED at West Palm Beach, FL on 12/19/00.
DOROTHY H. WILKEN, Clerk
By: Duane Brown D.C.